## REMARKS

**Status of the Application**

At the time of the Final Action, Claims 1-9 were pending. Claims 1-9 stand rejected under Section 102(e) as allegedly being anticipated by U.S. Patent No. 6,556,512 to Winkler ("Winkler"). Applicant respectfully requests reconsideration in view of the following remarks.

**Independent Claim 1 is Not Anticipated by Winkler**

A claim is anticipated under 35 U.S.C. §102 if each claimed element is found in a single prior art reference. *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576 (Fed. Cir. 1991); *Carella v. Starlight Archery and Pro Line Co.*, 804 F.2d 135, 138 (Fed. Cir. 1986). There must be no difference between the claimed invention and the reference disclosure, as viewed by an ordinary artisan. *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d at 1576.

Applicant submits that Winkler does not disclose at least the two below-enumerated and underlined recitations of Claim 1:

> 1. Mobile equipment for non stationary use, comprising:
> a real time clock RTC integrated in the mobile equipment for generating a real time information;
> a system time generator integrated in the mobile equipment for generating a system time information by adding an offset to the real time information given by the RTC;
> an output means for outputting the system time information generated by the system time generator;
> a non-volatile memory for the non-volatile storage of data;
> an input means for inputting instructions for changing the system time information; and
> **1) a decision means for limiting the possible changes of the system time information generated by the system time generator to a preset time range, wherein:**
> the real time information of the RTC is stored periodically in the non-volatile memory;
> said input means enables a user to input a reset time value for said RTC in case that the real time information from the RTC has been lost;
> **2) said decision means checks if the reset time value input by a user is later than the last time information of the RTC stored in the non-volatile memory and,**
> in case the input reset time value passes the check, the RTC is set to the new time according to the reset time value.

Winkler is directed to a method that allows more accurate real time information to be provided in a mobile terminal in response to a low frequency oscillation signal (Col. 2, lines 6-13). Because the low frequency oscillation signals may have an accuracy of only 50 ppm (Col. 1, lines 20-24), Winkler proposes that a correction value K is computed (Col. 6, lines 33-37) for use in providing more accurate real time information. The correction value K is determined based on a real time difference ($T_{x2}$-$T_{x1}$) between a second and first real time information that is obtained from the low frequency oscillation signal (Col. 5, lines 13-20 and Col. 6, line 34), and based on an accurate time difference ($T_2$-$T_1$) of second and first accurate time information (Col. 5, lines 25-30 and Col. 6, line 34). The correction value K is subsequently used to determine a more accurate real time value $T_{acc}$ based on the real time information $T_x$ that is determined using a counter value (Col. 6, lines 34-42). The more accurate time information may be stored in a memory 4, which may be a non-volatile memory (Col. 5, lines 1-5). The more accurate time information may be stored repeatedly in successive iterations (Col. 7, lines 24-35).

Winkler also discloses that the second accurate time information $T_2$ may be obtained in various ways, including from a user input (Col. 5, lines 48-50 or Col. 6, lines 65-67). Winkler describes that the correction value K may be disregarded if the user changes the time within a short period (Col. 6, lines 50-57) because the denominator of the right-hand side of the equation in Col. 6, line 34 would be small and can introduce inaccuracy into the calculation of K.

With regard to the first above-enumerated and underlined recitation of Claim 1, the Final Action states that Winkler discloses "a decision means for limiting the possible changes of the system time information generated by the system time generator to a preset time range (See Column 6, lines 50-55)." Final Action, p. 4. Applicant respectfully disagrees.

The cited passage of Winkler is included below.

> In order to ensure an effective calculation of the correction value K, the processing means S computes the correction value K only when the actual time difference and/or the real time difference exceed a predetermined threshold value. Thus, in case that the elapsed time of the system is too short to calculate an accurate correction value K, e.g. in case that the mobile terminal 1 or 20 is switched off shortly after it has been switched on, the connection is lost or the user changes the time of the mobile terminal 1 or 20 within a short period, the

> correction value is not calculated or the computed correction value is ignored and the calculation may be repeated.

Winkler, Col. 6, lines 46-57.

As can be seen from this passage, Winkler teaches that the time difference ($T_2$-$T_1$) and/or the time difference ($T_{x2}$-$T_{x1}$) must exceed a certain threshold, otherwise the correction value K may not be calculated. Winkler further teaches that the correction value K is calculated by the formula $K=[(T_{x2}-T_{x1})-(T_2-T_1)]/(T_2-T_1)$. Winkler, Col. 6, line 34. Winkler also teaches that more accurate real time value $T_{acc}$ is calculated by the formula $T_{acc}=T_0+(T_x-T_0)x(1-K)$. Winkler, Col. 6, line 37.

It is clear by looking at the above formulae that limiting the time differences such as ($T_2$-$T_1$) to values greater than a threshold does not in any way limit the changes in system time. To illustrate, the pre-factor ($T_x$-$T_0$) in the latter formula may be large, so that even minor changes in K can give rise to arbitrarily large changes in $T_{acc}$. To further illustrate, the second accurate time T2 may be received at a time such that K is calculated (*i.e.*, ($T_2$-$T_1$) exceeds the threshold), but could produce an arbitrary system time change. In other words, it is the correction value K rather than the changed system time information that has to stay within given limits. The fact that K has to stay within given limits does not in any way limit possible changes of the system time information to a preset time range, as arbitrary time changes can be set.

In the "Response to Arguments" section, the Final Action states that "Winkler discloses computing means of the mobile terminal wherein a decision is made to generate time based upon a predetermined time period within a preset time period for calculating the real time value (See Column 3, lines 25-39). . . . The real time value is compared to the accurate time difference and the real time difference (See Column 5, lines 6-13)." Final Action, pp. 2-3.

Applicant respectfully disagrees with the Final Action's characterization of Winkler. Winkler describes that the real time value is calculated based on the real time difference ($T_{x2}$-$T_{x1}$), which may be determined from the counter value, and based on the accurate time difference ($T_2$-$T_1$), which may be determined in various ways (*e.g.*, based on user inputs). However, Winkler does not disclose or suggest that the "real time value is compared to the accurate time difference and the real time difference," as asserted in the Final Action.

Moreover, even if this assertion was correct, Applicant does not see how it would imply that possible changes of the system time information were limited to a preset time range.

With regard to the second above-enumerated and underlined recitation of Claim 1, the Final Action states that "said decision means checks if the reset time value input by a user is later than the last time information of the RTC stored in the non-volatile memory and, in case the input reset time value passes the check, the RTC is set to the new time according to the reset time value (See Column 7, lines 32-40)." Final Action, p. 5. Again, Applicant respectfully disagrees.

The cited passage of Winkler is reproduced below in its entirety.

> In the next step S7b, the calculated accurate real time value $T_{acc}$ is taken as the basic accurate time information $T_0$, whereafter the procedure goes back to step S3 and the calculation of a new accurate real time value is started. Thus, the steps S3, S5, S6, S7a, S7b are continuously repeated in the operation status of the mobile terminal, as long as the correction value K is within its limits, so that a corrected and accurate real time value $T_{acc}$ is continuously provided as a precise time base in the mobile terminal 1 or 20.

Winkler, Column 7, lines 32-40.

This passage describes that a sequence of steps employed for calculating the more accurate real time information $T_{acc}$ may be continuously repeated. The sequence may include the repeated inputting of time information by a user. Some of these user inputs will be made at later moments than other user inputs. However, Winkler does not teach that a check is performed on whether the value which has been input by a user is later than a stored counter value. As described in more detail above, Winkler only teaches checking whether the accurate time difference ($T_2$-$T_1$) fulfills certain criteria such that the correction factor K may be calculated. Moreover, Winkler teaches that the absolute value of the accurate time difference ($T_2$-$T_1$) may be used in the calculation of K, and therefore Winkler teaches that the second accurate time information $T_2$ (which may be input by a user) may actually be earlier than the first accurate time information $T_1$.

In the "Response to Arguments" section, the Final Action states that "Winkler further discloses the real time clock value is set to a new time value after the processing means checks the correction time value which was reset on the mobile terminal by the user on the

basis of the corresponding counter value which was previously stored in the non-volatile memory (See Column 7, lines 15-35)." Final Action, p. 3.

Applicant respectfully submits that this is not relevant to the claim recitation at issue. The question is not whether Winkler describes that a time value input by a user is checked on the basis of a previously stored counter value. Claim 1 does not recite a decision means which checks whether the reset time value is input later than the storing of the last RTC time information, which is what the Final Action appears to be addressing. Rather, Claim 1 recites that the decision means checks if the reset time value input by a user is later than the last RTC time information.

Because Winkler does not disclose at least these recitations, Winkler cannot anticipate Claim 1 and Applicant respectfully requests that the rejection under Section 102(e) be withdrawn.

**The Dependent Claims**

Claims 2-9 are patentable at least based on their dependence from a patentable independent claim, and Applicant traverses the rejection of the dependent claims. However, as each of these claims depends from a base claim that is believed to be in condition for allowance, Applicant does not believe that it is necessary to argue the allowability of each dependent claim individually. Applicant does not necessarily concur with the interpretation of these claims, nor with the bases for rejection set forth in the Action. Applicant therefore reserves the right to address the patentability of these claims individually as necessary in the future.

**Request for Interview**

Applicant respectfully submits that all claims are in condition for allowance in view of the arguments presented above. However, should the Examiner disagree, Applicant respectfully requests that the Examiner contact the undersigned for a telephonic conference prior to the mailing of an Advisory Action.

**Conclusion**

In view of the above remarks, Applicant respectfully requests withdrawal of all rejections and the allowance of all claims in due course. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is encouraged to contact the undersigned by telephone at (919) 854-1400.

Respectfully submitted,

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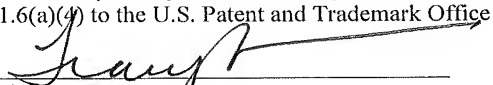
**CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on May 6, 2010.



Tracy Wallace
Date of Signature: May 6, 2010